



**Wekiva River Basin  
Commission**

**Wekiva River Basin Commission Meeting Minutes  
February 20, 2015  
1:30 PM**

East Central Florida Regional Planning Council  
309 Cranes Roost Blvd. Suite 2000 Mayor John H. Land Board Room  
Altamonte Springs, FL 32701

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**1. Call to Order and General Business**

The meeting was called to order by Chairman Constantine at 1:30 p.m. Ms. Pegge Parker called roll and announced there was a quorum. The following members were in attendance:

**Chairman Lee Constantine** – Chairman

**Mr. William P. Battaglia** – President and CEO, Battaglia Group Management LLC

**Commissioner Brenda Carey** – Seminole County

**Mr. Charles Lee** – Senior Vice President, Florida Audubon Society

**Commissioner Steve Wolfram** – City of Altamonte Springs

**Councilmember Dennis Wood** – City of Mount Dora

**Commissioner Leslie Campione** – Lake County

**Mr. James Stansbury** – Department of Economic Opportunity (via phone)

**Ms. Alayna Curry for Ms. Michelle Maikisch** – Central Florida Expressway Authority

**Mr. Jody Lee** – Florida Department of Agriculture & Consumer Services

**Mr. Bart Harriss for Mr. Gerald Briggs** – Chief Bureau, Onsite Sewage Programs, Florida Department of Health

**Mr. Alan Hyman for Ms. Noranne Downs** – District Secretary, Florida Department of Transportation

**Mr. Tom Shupe for Ms. Shannon Wright** - Regional Director, Florida Fish and Wildlife Conservation Commission

**Ms. Christianne Ferraro for Mr. Jeff Prather** – District Director, Florida Department of Environmental Protection

**Ms. Mary Brabham for Mr. Hans Tanzler** – Executive Director, St. John's River Water Management District

**Mr. Harold W. Barley** – Executive Director, MetroPlan Orlando

Chairman Constantine called for a motion to approve the meeting minutes from October 30, 2014. A motion was made by Mr. Charles Lee and seconded by Commissioner Wolfram. The motion was passed unanimously.

## **2. Agency Activities and Legislative Report**

### **Florida Department of Environmental Protection, Establishment of Total Maximum Daily Loads Pursuant to Recommendation 6 of the Final Report – Ms. Christianne Ferraro for Mr. Jeff Prather**

Ms. Christianne Ferraro reported that the BMAP for Wekiva and Rock Springs is still on the Secretary's desk and will probably be there through the legislative session with hopes of getting it signed when the session ends. DEP is continuing to work with the water management district in trying to get some septic tank connections with local governments. They are also continuing that effort on a project with Orange County and are hopeful to complete a plan and get it signed by the Secretary.

### **Florida Department of Health, Rulemaking Activities on On-Site Disposal Systems Treatment Standards Pursuant to Recommendation 9 of the Final Report – Mr. Bart Harriss for Mr. Gerald Briggs**

Mr. Bart Harriss introduced Ms. Elke Ursin, who gave a presentation update on the Nitrogen Reduction Strategies Study. Ms. Ursin has been Manager of the research program since 2006 and before that has worked for both Orange and Seminole Counties. Currently there are no rules being proposed at this time until the study is complete.

Ms. Ursin explained that in 2008 the legislature tasked the DOH with conducting a study to look at nitrogen reduction technology and nitrogen strategies. The project was scheduled for six years for \$5 million and to-date they have received \$4.7 million dollars which will take the project through completion in June 2015. The three main objectives of the project included looking at passive nitrogen reduction, which includes the technology portion; the study of how nitrogen moves in the environment from the septic system; and the final objective was to develop strategies for nitrogen reduction. There were numerous questions and discussions regarding the study and passive system. Ms. Ursin stated that the study should be completed in June or July and can share the final results at a later Commission meeting.

### **Florida Department of Agriculture and Consumer Services – Mr. Jody Lee**

Mr. Jody Lee reported they had received \$250,000 from the Department of Environmental Protection for a cost-share program for SJRWMD to be administered through the Volusia County Conservation District. They also received another \$250,000 for Marion County Conservation District to primarily address the Silver Springs and Rainbow Springs areas to enhance their equine cost-share program. The entire amount has been spent and there's a waiting list of projects for an additional \$150,000.

They will be interviewing in the next week for two additional technicians needed to help administer these two programs, to assist growers enrolling in the BMP programs and get into the cost-share programs. The Department will also be revising their Vegetable Crop Manual and developing a new Dairy Manual. These should both be completed after the first of the year.

Ms. Andrea Sampson, representing Coalition for Property Rights, asked if the nursery growers in Apopka were included in the BMP programs and Mr. Lee confirmed that they were.

**Florida Fish and Wildlife Conservation Commission – Mr. Tom Shupe for Ms. Shannon Wright**

Mr. Shupe updated the Commission on the FFWC Wekiva Parkway Report:

- Section 4A & 4B which runs across portions of the Wekiva State Park remains under construction.
  - Gopher Tortoise Relocations complete
  - Environmental Educational program ongoing for construction crews – environmental issues are discussed at weekly safety meetings
  - FDOT 3<sup>rd</sup> Party compliance scientist conducting regular inspections
- Surveys for sand skinks have been designed and will be accomplished in Wekiva Parkway Sections 3A and 5.
- All other Wekiva Parkway segments remain in the Design Phase.
- FWC continues to provide technical assistance on Section 7A of the Wekiva Parkway segment for three new bridges and wildlife fencing over the Wekiva River and Floodplain based on our letter submitted in July 2014.
- FWC has reviewed the following Wekiva Segments in terms of fish and wildlife resource impacts including listed species and provided an Agency comment letter:
  - Section 3B SR-46 West of US-441 to East of Vista View in Lake County DEP ERP Wetland Permit (FWC Letter was sent to DEP January 8, 2015. This western section of the Wekiva Parkway joins US-441 0.4 miles East of Mt. Dora.
- FDOT is coordinating with FWC on suitable habitat for bats along the entire Wekiva Parkway. This is based on a commitment in the Wekiva Parkway Environmental Document to determine the location, and construct structural accommodations for bats either attached to bridges or pole mounted. Segments 4A & 4B which are now under construction have bat abodes as part of the design. Central Florida Expressway Segments 1A & 1B due to go to construction soon will be surveyed for suitable habitat, and free-standing bat abodes will be installed in appropriate habitat. All other Wekiva Segments have been addressed, and a “Bat Report” with the location and types of structures for all Parkway Segments has been completed. FWC Biologist Terry Doonan, Mammal Taxa Coordinator located in the Ocala Office has been assigned to coordinate with FDOT District 5 on issues as they arise to coordinate with FDOT and provide input.

Mr. Shupe also gave an update regarding bear management issues:

- Comments to FWC concerning bear can go to [MyFWC.com/Bear](http://MyFWC.com/Bear) and register their input on the online comment form or can contact Bear Management Staff directly at 850-922-4330.
- The primary cause of human-bear conflicts is unsecured food attractants, particularly garbage, and staff is directed to continue to assist and provide additional guidance to local government to deal with the issue of garbage as bear attractant and to expand engagement with waste management companies, local governments and partners on this issue.
- FWC staff is working with legislature to change penalties associated with this feeding rule with the intent of increasing compliance by creating a graduated penalty system. Proposed changes would start at civil penalty (i.e., a ticket) and progress to misdemeanor criminal penalty and possibly to felony level penalties for repeated violations.
- FWC Commissioners approved changes to FWC policies to allow development of expanded “hazing” options to scare bears away for both the public and public safety

personnel in the future; also to allow for FWC staff to more aggressively remove bears involved in human-bear conflicts, especially in urban/suburban areas.

- FWC Commissioners directed staff to develop a proposal for a limited bear hunt. Hunting isn't proposed as the solution to urban/suburban conflict issues, but as another potential tool to use in conjunction with all other current and future human-bear conflict resolution strategies. Hunts would only be allowed in areas where bear populations are at a high enough level to sustain a limited harvest. FWC staff was directed to engage stakeholders and develop draft rules for presentation at April FWC Commission meeting.
- FWC staff will be continuing or increasing all current bear management efforts including trapping conflict bears, working with local governments and residents to reduce conflicts by securing attractants and through outreach and education programs.

#### **St. Johns River Water Management District – Ms. Mary Brabham for Mr. Hans Tanzler**

Ms. Mary Brabham gave an update on the success of the cost-share program that supports the Springs Projects. A new program is being rolled out with a commitment of \$15 million with an application deadline of March 13<sup>th</sup>. The projects address water quality improvements, water quantity/supply improvements and water conservation. There is also another new cost-share program regarding Agricultural projects. There is now continuous monitoring in the Wekiva system with the purchase of continuous monitoring sensors which include nitrate and phosphorous probes that frequently measure typical field parameters for data collection at Rock Springs, Wekiwa Springs and the Wekiva River. A new platform has been built at near SR 46 to house the continuous monitoring sensors. The information will be collected and posted on the website.

#### **Florida Department of Transportation – Mr. Alan Hyman for Ms. Noranne Downs**

Mr. Hyman reported that they are working on a program for bat houses in Mt. Dora and also working on wildlife crossings. Mr. Hyman then gave an update presentation on the current construction progress for segments 4A and 4B which is the section in Lake County that is under construction and nearing completion. Most of the roadway work is complete but work continues on the bridge. A ribbon cutting is planned for early summer while the final completion date is still scheduled for 2021. A public meeting was held at Rock Church for an update on Section 7A in Seminole County. Ms. Mary Brooks, the Public Information Coordinator, can be contacted for additional information.

Questions and discussions followed with Mr. Charles Lee, Mr. Scott Taylor and Mr. Bob Stamps regarding lighting issues at the temporary on-ramps and intersections at SR 46 and 435, toll area lighting and other segments currently under design. Mr. Taylor also talked about his drone video of the minimal lighting at toll plazas. Mr. Stamps cautioned about over-lighting areas causing the wasting of energy and the possible destruction to wildlife.

#### **Central Florida Expressway Authority – Ms. Alayna Curry for Michelle Maikisch**

Ms. Alayna Curry gave an update on Sections 1A and 1B. All the ROWs have been acquired for both sections and construction is scheduled to begin for 1A this summer and later in the year for 1B. They expect to hear back about TIFFEA loan approval in March. Design has been completed on Section 2A and will be completed on 2B and 2C by late spring. Ms. Curry stated that if the TIFFEA loan is approved, construction could begin on all three sections by early next year, 2016.

Mr. Charles Lee expressed his concern about land acquisition in the Section 2B area that intersects larger lands that were identified by the coordinating committee and the task force for acquisition. He recommended that DEP partner with the Central Florida Expressway Authority to make sure all the whole property is acquired. Commissioner Carey noted that there were some parcels that were required to be acquired, which were acquired, while others were recommended for acquisition. Further discussion occurred.

### **Florida Department of Economic Opportunity – *Mr. James Stansbury***

Mr. Stansbury stated they have reviewed three future land use map amendments within the Wekiva Study Area (Oakland, Winter Garden, Mt. Dora) and there were no challenges or comments on the review. There is no other activity at this time within the Wekiva Study Area and no new legislative proposals from DEO.

### **3. Other Business**

#### **Legislative Report – *Mr. Charles Lee***

Regarding legislative issues, Mr. Charles Lee stated there are three bills that have touched on the Wekiva: Senate Bill 484, which abolishes the Regional Planning Councils by Senator Simmons; its companion House Bill #873 by Florida Representative Mayfield; and Senate Bill 702, Revisers Bill, also by Senator Simmons.

Amendment 1, proposal by Governor to re-establish Florida Forever with \$100 million/year and an additional \$50 million for land management going towards the Everglades restoration. There are \$1.6 billion in project requests coming from counties. Chairman Constantine clarified that the list of projects was put together by the Florida Association of Counties following the request of the Appropriations Subcommittee Chair of the House on general government asking us to prepare this list of water projects that are on the table and ready to go. Mr. Lee stated that many of these projects clearly qualify for Amendment 1 funding but others do not.

There will be a legislative update at our next meeting.

### **4. Public Comments and Announcements**

- No additional Public Comments
- Audubon Society is having an Open House Sunday, February 24, 4:30 p.m.
- Wekiva Island is having their annual “Paint Out” May 2 - May 8
- Cady’s Landing Event, April 18, 10:00 a.m. – 4:00 p.m.
- The Wekiva River Basin Commission Implementation Progress Report for 2014 has been distributed to the Commission, as required.

### **5. Future Meeting Dates – *Chairman Constantine***

The next meeting will be scheduled for June 2015 at Wekiva Island.

### **6. Adjournment**

Chairman Constantine adjourned the Wekiva River Basin Commission Meeting at 3:40 p.m.